

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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ALF RENTAL COMPANY, INC.,

Plaintiff,

Docket No.: 07 CV 3148 (LAK)

-against-

**ANSWER TO CROSS-CLAIM**

BUILDERS RESOURCE, INC., D'ONOFRIO GENERAL  
CONTRACTORS CORP., CONSOLIDATED EDISON  
OF NEW YORK, INC., TERRA DINAMICA, LLC,  
CORESLAB STRUCTURES, and NICOLSON  
CONSTRUCTION CO.,

Defendants.

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BUILDERS RESOURCE, INC.,

Third-Party Plaintiff,

-against-

BAY CRANE SERVICE INC.,

Third-Party Defendant.

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DEFENDANT BUILDERS RESOURCE, INC. ("BRI") as and for its answer to the second cross-claim of co-defendant Coreslab Structures (Conn.) Inc. ("CSCI"), by its attorneys Lambert & Weiss, respectfully alleges upon information and belief as follows:

1. Denies having knowledge of information sufficient to form a belief as to the truth thereof of the allegations contained in paragraph "25" of CSCI's answer and cross-claims.
2. Denies having knowledge of information sufficient to form a belief as to the truth thereof of the allegations contained in paragraph "26" of CSCI's answer and cross-claims.
3. Denies having knowledge of information sufficient to form a belief as to the truth thereof of the allegations contained in paragraph "27" of CSCI's answer and cross-claims.
4. Denies having knowledge of information sufficient to form a belief as to the truth thereof of the allegations contained in paragraph "28" of CSCI's answer and cross-claims.

5. Denies having knowledge of information sufficient to form a belief as to the truth thereof of the allegations contained in paragraph "29" of CSCI's answer and cross-claims.

6. Denies having knowledge of information sufficient to form a belief as to the truth thereof of the allegations contained in paragraph "30" of CSCI's answer and cross-claims.

7. Denies having knowledge of information sufficient to form a belief as to the truth thereof of the allegations contained in paragraph "31" of CSCI's answer and cross-claims.

8. BRI has moved to dismiss CSCI's first, third, fourth and fifth cross-claims against BRI, and Allard has moved to dismiss the third-party complaint against him; the time to interpose an answer to those cross-claims and third-party complaint, if such is required, is extended by FRCP Rule 12(a).

**AFFIRMATIVE DEFENSE**

9. The second cross-claim fails to state a claim for which relief may be granted as against BRI.

**WHEREFORE**, it is respectfully requested that the second cross-claim asserted by CSCI be dismissed as against BRI, with costs, fees and disbursements.

Dated: New York, New York  
July 17, 2007

Yours, etc.

LAMBERT & WEISS  
*Attorneys for Defendant and  
Third-Party Plaintiff Builders Resource, Inc.,  
and Third-Party Defendant Steven Allard*

By: 

STEPHEN H. MARCUS (SHM 2370)  
61 Broadway, Suite 2020  
New York, New York 10006  
(212) 344-3100

To: BAHN, HERZFELD & MUTLER, LLP  
*Attorneys for Plaintiff*  
*Alf Rental Company, Inc.*  
555 Fifth Avenue  
New York, New York 10017  
Attn: Richard L. Herzfeld

TREACY SCHAFFEL MOORE & MUELLER  
*Attorneys for Defendant*  
*D'Onofrio General Contractors Corp.*  
111 Broadway, Suite 402  
New York, New York 10006  
Attn: Thomas W. Moore, III

RICHARD J. GIGLIO, ESQ.  
*Attorney for Defendant*  
*Consolidated Edison Company*  
4 Irving Place  
New York, New York 10003

LEONARD J. CATANZARO, ESQ.  
*Attorney for Defendant*  
*Terra Dinamica*  
434 Broadway  
New York, New York 10013

LINDABURY, MCCORMICK, ESTABROOK & COOPER, P.C.  
*Attorneys for Defendant*  
*Coreslab Structures*  
26 Broadway  
New York, New York 10004

BIRNBAUM & BIRNBAUM  
*Attorney for Third-Party Defendant*  
2 Birchwood Court  
Mineola, NY 11501